

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 818 OF 2022**

Rahul Manik Tamnar,

Age : 26 Years, Occu.: Agri,

R/o : Tamner Akhada, Tq. Rahuri,

Dist. Ahmednagar.

...Petitioner

Versus

1. The State of Maharashtra,
Copy to be served on G.P. High Court
Bench at Aurangabad.

2. Superintendent of Police,
Ahmednagar, Tq. & Dist. Ahmednagar.

3. The Divisional Commissioner,
Nashik Division, Nashik,
Tq. & Dist. Nashik.

...Respondents

...

Advocate for Petitioner : Mr. Jadhav Satej S
APP for Respondents/State : Mr. S. R. Yadav-Lonikar

...

CORAM : KISHORE C. SANT, J.**DATE : 9th FEBRUARY 2023.**

ORAL JUDGMENT :

1. Heard the learned Advocates for the respective parties at length. By consent of the parties, the petition is taken up for final disposal. Hence Rule. Rule made returnable forthwith.

2. The learned Advocate for the petitioner placed on record a copy of judgment passed by this Court dated 05.01.2023 in Writ Petition No.1479/2022 in the case of **Rama Dhuraji Bachkar Vs. The State of Maharashtra and Others**, against whom the similar action was taken alongwith the present petitioner. The same order is impugned in this petition. It is submitted that Rama is in fact shown to be a gang leader. Whereas the present petitioner is real brother of the gang leader. Since the similar action in the proceeding is already quashed in Writ Petition No.1479/2022, he submits that this petition also be allowed.

3. The learned APP fairly submits that no other grounds are to be considered in this case.

4. In view of the above, this Court finds that a case is made out to allow the petition. The Writ Petition is thus allowed. Rule is made absolute in terms of prayer clause 'B'.

5. The Writ Petition is disposed off in the aforesaid terms.

[KISHORE C. SANT, J.]

Najeeb.